

Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbala  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millorog  
Donald J. Featherstone  
Timothy J. Shea, Jr  
Michael V. Messinger  
Judithe U. Kim

Patrick E. Garrett  
Jeffrey T. Helvey  
Heidi L. Kraus  
Eldora L. Ellison  
Thomas C. Fiala  
Albert L. Ferro  
Donald R. Banowitz  
Peter A. Jackman  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Brian J. Del Buono  
Virgil Lee Beaston  
Theodore A. Wood  
Elizabeth J. Haanes  
Joseph S. Ostroff  
Frank R. Cunningham  
Rae Lynn P. Guest  
Daniel A. Klein

Jason D. Eisenberg  
Michael D. Specht  
Andrea J. Kamage  
Tracy L. Muller  
Jon E. Wright  
LuAnne M. DeSantis  
Ann E. Summerfield  
Aric W. Ledford  
Helene C. Carlson  
Cynthia M. Bouchez  
Timothy A. Doyle  
Gaby L. Longsworth  
Lori A. Gordon  
Nicole D. Dretar  
Ted J. Ebersole  
Laura A. Vogel  
Michael J. Mancuso  
Bryan S. Wade  
Aaron L. Schwartz

Shannon A. Carroll\*  
Wesley W. Jones\*  
Matthew E. Kelley\*  
Michelle K. Holoubek\*  
Marsha A. Rose\*  
  
Registered Patent Agents\*  
Karen R. Markowicz  
Nancy J. Leith  
Matthew J. Dowd  
Katrina Yujian Pei Quach  
Bryan L. Skelton  
Marvin C. Guthrie

Scott M. Woodhouse  
Christopher J. Walsh  
Liliana Di Nola-Baron  
Peter A. Socarras  
Jeffrey Mills  
  
Of Counsel  
Kenneth C. Bass III  
Marvin C. Guthrie  
  
\*Admitted only in Maryland  
+Admitted only in Virginia  
•Practice Limited to  
Federal Agencies

February 6, 2006

**WRITER'S DIRECT NUMBER:**  
(202) 772-8773

**INTERNET ADDRESS:**  
MDOWD@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application  
Appl. No. 09/767,080; Filed: January 22, 2001  
For: **Deoxo-Proline-Containing Tamandarin and Didemnin Analogs, Dehydro-Proline-Containing Tamandarin and Didemnin Analogs, and Methods of Making and Using Them**  
Inventors: Joullie *et al.*  
Our Ref: 1694.0640001

Sir:

In reply to the "Notice to File Corrected Application Papers-Notice of Allowance Mailed," dated January 10, 2006, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Corrected Application Papers (2 pp.);
2. A copy of the executed Declaration as filed on June 19, 2001 (4 pp.);
3. A copy of the Reply to the Notice To File Missing Parts, including the PTO-stamped postcard, filed on June 19, 2001 (2 pp.);
4. A copy of the Updated Filing Receipt, mailed July 27, 2001, indicating that the application was complete (3 pp.); and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent

Commissioner for Patents  
February 6, 2006  
Page 2

abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Matthew J. Dowd  
Agent for Applicants  
Registration No. 47,534

MJD/rjv  
Enclosures

493628\_1.DOC



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,080	01/22/2001	Madeleine M. Joullie	1694.0640001	5576

26111 7590 01/10/2006

STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

MOHAMED, ABDEL A

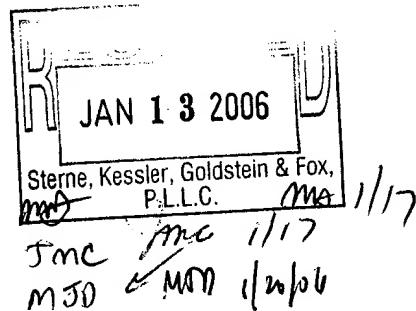
ART UNIT

PAPER NUMBER

1653

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Declaration due February 9, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Serial Number  
09767080

Date Mailed  
1/10/06

**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

***Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ Inventor's signatures are missing from the oath/declaration/ADS. No petition under Rule 1.47 filed. (JOULLIE, MADELEINE M.; LIANG, BO; DING, XIAOBIN) Fax missing information to number below or e-mail.
  - For status updates visit <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

**APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.**

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450  
Alexandria, VA 22313-1450

Rori Burch  
USPTO

Publishing Division  
Rori.burch@uspto.gov  
Fax (571) 273-9009  
Fax (703) 308-6642  
703-305-0333 ext.135 (V)

**DOCKETED**

*Declaration due February 9, 2006*

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C., 20231, on the date indicated below.



*Debbie Stolt* DATE: 19 June 2001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re:

Patent Application of  
Madeleine M. Joulliè  
Appln. No.: 09/767,080  
Filed: January 22, 2001  
For: AXINDEOXO-PROLINE-CONTAINING  
TAMANDARIN AND DIDEMNIN  
ANALOGS, DEHYDRO-PROLINE-  
CONTAINING TAMANDARIN AND  
DIDEMNIN ANALOGS, AND METHODS  
OF MAKING AND USING THEM

: Attention:  
**Box Missing Parts**  
: Group Art Unit:  
:  
:  
:  
: Attorney Docket  
**No. 9596-303U1**  
: (M2163)  
:  
:

**TRANSMITTAL OF MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated April 27, 2001, we submit herewith the following:

Copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed April 27, 2001.

No Notice to File Missing Parts has been received.

Executed Declaration and Power of Attorney.

Nucleotide and/or Amino Acid Sequence Submission, including:  
 Computer readable copy    Paper Copy    Verified Statement

Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as  an Independent Inventor, or  a Small Business Concern, or  a Non-Profit Organization.

Other: &@

CLAIMS	NO. FILED	NO. EXTRA	SMALL ENTITY		OR	LARGE ENTITY	
			BASIC FEE: \$355.			BASIC FEE: \$710	
Total	-20=		X9	\$	OR	X18	\$
Independent	- 3=		X40	\$	OR	X80	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$

	<b>TOTAL</b>	<b>\$</b>	<b>OR</b>	<b>TOTAL</b>	<b>\$</b>
--	--------------	-----------	-----------	--------------	-----------

The following fees noted below are being paid.

Surcharge of **[\$65]** for late filing of filing fee and/or Declaration and Power of Attorney.

Surcharge of **\$130** for late filing of English translation.

Extension of Time fee in the amount of **\$ \_\_\_\_ .00** (Petition for Extension of Time is attached).

Filing Fee in the amount of **\$ \_\_\_\_ .00** calculated above.

Enclosed is our firm's check in the amount of **\$65.00** for the above fee(s).

The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 209596.0390) as noted below. A duplicate copy of this sheet is enclosed.

The above-calculated fee(s) calculated totaling **\$ \_\_\_\_ .00**.

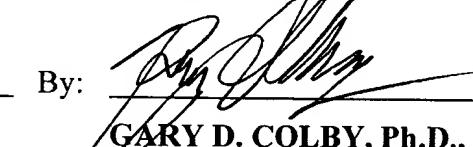
Any overpayments or deficiencies in the above-calculated fee(s).

Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.

In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

#### **CORRESPONDENCE ADDRESS**

19 June 2001

By: 

(Date)

**GARY D. COLBY, Ph.D., J.D.**

Registration No. 40,961

**AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103-7086

Telephone: (215) 965-1200

**Direct Dial:** (215) 965-1285

Facsimile: (215) 965-1210

E-Mail: [gcolby@akingump.com](mailto:gcolby@akingump.com)

GDC/dae  
Enclosures



ATTY GDC ASN SECY Jde PATENT RETURN POSTCARD  
ATTY DKT # 9596-30301 TODAY'S MAILING DATE 19 June 2001  
EXPRESS MAIL # 602 610101  
PAT APP/PATENT/REEXAM/INTF# 09/767,080  
OF Madeleine M. Soule  
FOR: Axideuxor Praline Containing Comordateen...  
RECEIPT IS ACKNOWLEDGED BY THE USPTO FOR THE FOLLOWING:  
 PAT APP (PROV/NON PROV/DES/REISSUE)  
 DECL & POW (EXECUTED/UNEXECUTED)  
 PAGES TOTAL TEXT  
 TOTAL # CLAIMS  
 SHEETS DRAWING (FORMAL/INFORMAL)  
 SEQUENCE LISTING (PAPER COPY/DISK)  
 COMPUTER CODE  
 PRELIMINARY AMENDMENT  
 PRIORITY DOC.  
 COUNTRY \_\_\_\_\_ NO. \_\_\_\_\_  
 TRANSMITTAL LTR (US/PCT/NAT'L PHASE)  
 REV/APPT OF ATTORNEY  
 CPA REQUEST  
 AMEND/REQ RECONS/ RESTR. REQ. RESPONSE  
 RESPONSE TO MISSING PARTS  
 INF.DISC.STMT. PTO-1449 & \_\_\_\_ REFS  
 PET.EXT.TIME \_\_\_\_ MONTHS  
 ASSIGN/CHG NAME/MERGER/SEC. INT  
 PTO-1595 FORM  
 VERF.STATE - SMALL ENTITY  
 NOTICE APPEAL/APPEAL BRIEF/(3 COPIES)  
 SUPPL. DECL.  
 TOTAL FEES AUTH CHARGE DEF ACCT. # 50-10173 Ch. for \$65.00  
 OTHER (PAPER TITLE) (42163)



# UNITED STATES PATENT AND TRADEMARK OFFICE

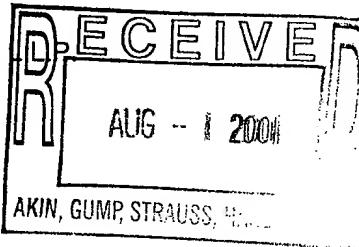
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Page 1 of 3



APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/767,080	01/22/2001	1643	815	9596-303U1 (M2163)	6	55	5

000570  
AKIN, GUMP, STRAUSS, HAUER & FELD,  
ONE COMMERCE SQUARE  
2005 MARKET STREET, SUITE 2200  
PHILADELPHIA, PA 19103



CONFIRMATION NO. 5576  
UPDATED FILING RECEIPT

OC000000006350513\*

Date Mailed: 07/27/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Madeleine M. Joullie, Philadelphia, PA;  
Bo Liang, Glenolden, PA;  
Xiaobin Ding, Piscataway, NJ;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/545,848 04/07/2000

## Foreign Applications

If Required, Foreign Filing License Granted 04/26/2001

Projected Publication Date: 11/01/2001

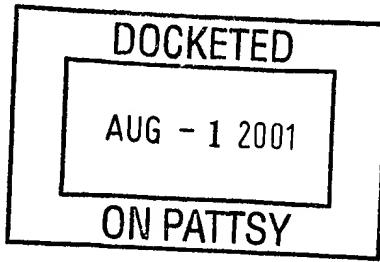
Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Deoxo-proline-containing tamandarin and didemnin analogs, dehydro-proline-containing tamandarin and didemnin analogs, and methods of making and using them



**Preliminary Class**

530

---

**Data entry by : HAPPY, MILAGROS**

**Team : OIPE**

**Date: 07/27/2001**



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231